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**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:10-cv-13101-BAF-RSW**

United States v. DTE Energy et al
Assigned to: District Judge Bernard A. Friedman
Referred to: Magistrate Judge R. Steven Whalen
Case in other court: U.S. Court of Appeals - Sixth Circuit, 11-02328
U.S. Court of Appeals - Sixth Circuit, 14-02275/14-02274
Cause: 42:7413(b) Clean Air Act

Date Filed: 08/05/2010
Date Terminated: 12/03/2020
Jury Demand: None
Nature of Suit: 893 Environmental Matters
Jurisdiction: U.S. Government Plaintiff

Plaintiff**United States**

represented by **Elias L. Quinn**
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V.

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also known as
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Holly D. Bressett
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Defendant

Detroit Edison Company

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(See above for address)

*ATTORNEY TO BE NOTICED***Makram B Jaber**

(See above for address)

*TERMINATED: 04/28/2020**ATTORNEY TO BE NOTICED***Mark B Bierbower**

(See above for address)

*TERMINATED: 04/28/2020**ATTORNEY TO BE NOTICED***Matthew J. Lund**

(See above for address)

*ATTORNEY TO BE NOTICED***Michael J. Solo**

(See above for address)

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Date Filed	#	Docket Text
08/05/2010	<u>1</u>	COMPLAINT filed by United States against DTE Energy, Detroit Edison Company. No summons requested. County of 1st Plaintiff: USA - County Where Action Arose: Monroe - County of 1st Defendant: Wayne. [Previously dismissed case: No] [Possible companion case(s): None] (Benson, Thomas) (Entered: 08/05/2010)
08/05/2010		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (DPer) (Entered: 08/05/2010)
08/06/2010	<u>2</u>	Ex Parte MOTION for Leave to File Excess Pages by United States. (Christensen, Ellen) (Entered: 08/06/2010)
08/06/2010	<u>3</u>	Ex Parte MOTION for Leave to File <i>An Exhibit In The Traditional Manner</i> by United

		States. (Christensen, Ellen) (Entered: 08/06/2010)
08/06/2010	4	Ex Parte MOTION for Leave to File <i>An Exhibit In The Traditional Manner</i> by United States. (Christensen, Ellen) (Entered: 08/06/2010)
08/06/2010	5	ORDER granting 3 Motion for Leave to File in traditional manner. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 08/06/2010)
08/06/2010	6	ORDER granting 4 Motion for Leave to File sealed matter. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 08/06/2010)
08/06/2010	7	ORDER granting 2 Motion for Leave to File Excess Pages. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 08/06/2010)
08/06/2010	8	MOTION for Preliminary Injunction by United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Chinkin Declaration, # 3 Exhibit 2 - Chatfield Declaration, # 4 Exhibit 2A - Inspection Notes, # 5 Exhibit 2B - December 2009 DTE Press Release, # 6 Exhibit 2C - March 2010 DTE Letter, # 7 Exhibit 2D - April 2010 Newspaper Article, # 8 Exhibit 2E - June 2010 Notice of Violation, # 9 Exhibit 2G - June 2010 DTE Letter, # 10 Exhibit 2H - Fessler Testimony, # 11 Exhibit 2I - May 2010 EPA Letter, # 12 Exhibit 2J - June 2010 EPA Letter, # 13 Exhibit 3 - Sahu Declaration, # 14 Exhibit 3A - November 2009 DTE Press Release, # 15 Exhibit 4 - Detroit Edison Applicability Determination, # 16 Exhibit 5 - Koppe Declaration, # 17 Exhibit 6 - Hekking Declaration, # 18 Exhibit 7 - Clay Memo, # 19 Exhibit 8 - Biewald Declaration, # 20 Exhibit 9 - Cinergy Jury Instructions, # 21 Exhibit 10 - Adams Declaration, # 22 Exhibit 11 - Kahal Declaration, # 23 Exhibit 12 - Schwartz Declaration) (Benson, Thomas) (Entered: 08/06/2010)
08/10/2010	9	NOTICE by United States re 8 MOTION for Preliminary Injunction <i>OF FILING EXHIBIT IN THE TRADITIONAL MANNER - APPENDIX F, EXHIBIT1 (CD-ROM)</i> (Christensen, Ellen) (Entered: 08/10/2010)
08/10/2010	10	NOTICE by United States re 8 MOTION for Preliminary Injunction <i>OF FILING EXHIBIT IN THE TRADITIONAL MANNER - EXHIBIT 2-F (SEALED EXCERPTS OF)</i> (Christensen, Ellen) (Entered: 08/10/2010)
08/17/2010	11	NOTICE of Appearance by Michael J. Solo on behalf of All Defendants. (Solo, Michael) (Entered: 08/17/2010)
08/18/2010	12	NOTICE of hearing on 8 MOTION for Preliminary Injunction. Motion Hearing set for Wednesday, 10/13/2010 02:00 PM before District Judge Bernard A Friedman. (CMul) (Entered: 08/18/2010)
08/18/2010	13	NOTICE TO APPEAR: Case Management Status Conference set for Wednesday, 8/25/2010 11:00 AM before District Judge Bernard A Friedman (CMul) (Entered: 08/18/2010)
08/18/2010	14	NOTICE of Appearance by Matthew J. Lund on behalf of DTE Energy, Detroit Edison Company. (Lund, Matthew) (Entered: 08/18/2010)
08/18/2010	15	MOTION to Strike 8 MOTION for Preliminary Injunction by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A-Declaration of Skiles W. Boyd, # 3 Exhibit B-March 12, 2010 letter, # 4 Exhibit C-May 28, 2010 letter, # 5 Exhibit D-June 1, 2010 letter, # 6 Exhibit E-June 2, 2010 letter, # 7 Exhibit F-June 3, 2010 letter, # 8 Exhibit G-June 4, 2010 NOV, # 9 Exhibit H-June 8, 2010 letter, # 10 Exhibit I-Amicus Brief, # 11 Exhibit J-February 23, 2004 Order, # 12 Exhibit K-ABA Transcript, # 13 Exhibit L-EPA Response to Request for Admissions, # 14 Exhibit M-August 4, 2003 EPA Opposition, # 15 Exhibit N-October 4, 2004 Reply, # 16 Exhibit O-EPA Motion to Vacate dated October 4, 2007, # 17 Exhibit P-EPA Reply dated

		September 5, 2003, # 18 Exhibit Q-Joint Status Report, # 19 Exhibit R-Joint Status Report) (Lund, Matthew) (Entered: 08/18/2010)
08/18/2010	16	MOTION to Stay re 8 MOTION for Preliminary Injunction <i>or, in the Alternative, for Extension of Time to Respond to Plaintiff's Motion for Preliminary Injunction and for Leave to File a 36-Page Response Brief</i> by DTE Energy, Detroit Edison Company. (Attachments: # 1 Exhibit A-Plaintiffs' Supplemental Statement Regarding Joint Rule 26(f) Report and Proposed Scheduling and Case Management Order) (Lund, Matthew) (Entered: 08/18/2010)
08/18/2010		Set Hearings: Telephone Conference set for 10/13/2010 01:00 PM before District Judge Bernard A Friedman (CMul) (Entered: 10/06/2010)
08/19/2010	17	NOTICE of Appearance by Makram B Jaber - NOT SWORN on behalf of DTE Energy, Detroit Edison Company. (Jaber - NOT SWORN, Makram) (Entered: 08/19/2010)
08/19/2010	18	NOTICE of Appearance by James W Rubin - NOT SWORN on behalf of DTE Energy, Detroit Edison Company. (Rubin - NOT SWORN, James) (Entered: 08/19/2010)
08/20/2010	19	NOTICE of Appearance by Mark B Bierbower - NOT SWORN on behalf of DTE Energy, Detroit Edison Company. (Bierbower - NOT SWORN, Mark) (Entered: 08/20/2010)
08/20/2010	20	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by DTE Energy (Lund, Matthew) (Entered: 08/20/2010)
08/20/2010	21	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Detroit Edison Company identifying Corporate Parent DTE Energy Company for Detroit Edison Company. (Lund, Matthew) (Entered: 08/20/2010)
08/23/2010	22	NOTICE of Appearance by F. William Brownell - NOT SWORN on behalf of DTE Energy, Detroit Edison Company. (Brownell - NOT SWORN, F.) (Entered: 08/23/2010)
08/23/2010	23	RESPONSE to 16 MOTION to Stay re 8 MOTION for Preliminary Injunction <i>or, in the Alternative, for Extension of Time to Respond to Plaintiff's Motion for Preliminary Injunction and for Leave to File a 36-Page Response Brief</i> MOTION to Stay re 8 MOTION for Preliminary Injunction <i>or, in the Alternative, for Extension of Time to Respond to Plaintiff's Motion for Preliminary Injunction and for Leave to File a 36-Page Response Brief</i> , 15 MOTION to Strike 8 MOTION for Preliminary Injunction MOTION to Strike 8 MOTION for Preliminary Injunction MOTION to Strike 8 MOTION for Preliminary Injunction filed by United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Ex. A - Declaration of Thomas A. Benson, # 3 Exhibit Ex. B - July 1, 2010 EPA Letter to DTE) (Benson, Thomas) (Entered: 08/23/2010)
08/24/2010	24	MOTION to Amend/Correct 8 MOTION for Preliminary Injunction <i>by Filing Corrected Exhibit 12 (Unopposed Motion)</i> by United States. (Attachments: # 1 Exhibit Corrected Exhibit 12 to Preliminary Injunction Motion) (Benson, Thomas) (Entered: 08/24/2010)
08/24/2010	25	NOTICE of Appearance by Brent A. Rosser - NOT SWORN on behalf of DTE Energy, Detroit Edison Company. (Rosser - NOT SWORN, Brent) (Entered: 08/24/2010)
08/25/2010	26	AMENDED NOTICE of hearing on 8 MOTION for Preliminary Injunction. Responses due by 11/4/2010 Replies due by 11/18/2010 Motion Hearing set for Wednesday, 1/19/2011 09:00 AM before District Judge Bernard A Friedman. (CMul) (Entered: 08/25/2010)
08/25/2010	27	ORDER granting 24 Unopposed Motion to Amend/Correct exhibit. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 08/25/2010)

08/25/2010		Minute Entry - Status/Scheduling Conference held on 8/25/2010 before District Judge Bernard A Friedman. (CMul) (Entered: 08/25/2010)
08/30/2010	28	(WRONG IMAGE) ORDER granting 16 Motion to Stay or in the alternative extension of time to file a response. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 08/30/2010)
08/30/2010	29	ORDER granting 16 MOTION to Stay <i>or, in the Alternative, for Extension of Time to Respond to Plaintiff's Motion for Preliminary Injunction</i> filed by Detroit Edison Company, DTE Energy. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 08/30/2010)
08/30/2010	30	NOTICE of Correction re 28 Order on Motion to Stay. (CMul) (Entered: 08/30/2010)
08/30/2010	31	WAIVER OF SERVICE Returned Executed. DTE Energy waiver sent on 8/5/2010, answer due 10/4/2010. (Benson, Thomas) (Entered: 08/30/2010)
08/30/2010	32	WAIVER OF SERVICE Returned Executed. Detroit Edison Company waiver sent on 8/5/2010, answer due 10/4/2010. (Benson, Thomas) (Entered: 08/30/2010)
09/07/2010	33	REPLY to Response re 15 MOTION to Strike 8 MOTION for Preliminary Injunction MOTION to Strike 8 MOTION for Preliminary Injunction MOTION to Strike 8 MOTION for Preliminary Injunction filed by DTE Energy, Detroit Edison Company. (Attachments: # 1 Exhibit Verdict Form, U.S. v. Cinergy (S.D. Ind. May 22, 2008)) (Brownell, F.) (Entered: 09/07/2010)
09/28/2010	34	Joint MOTION to Intervene <i>as Plaintiffs</i> by Sierra Club, Natural Resources Defense Council. (Issod, Andrea) (Entered: 09/28/2010)
09/28/2010	35	INTERVENOR COMPLAINT filed by Natural Resources Defense Council, Sierra Club against DTE Energy, Detroit Edison Company. (Issod, Andrea) Modified on 9/29/2010 (DWor). [PROPOSED INTERVENOR COMPLAINT] (Entered: 09/28/2010)
09/29/2010	36	ATTORNEY SUBSTITUTION for Natural Resources Defense Council, Sierra Club: Holly D. Bressett - NOT SWORN added. Attorney Andrea S. Issod terminated. (Bressett - NOT SWORN, Holly) (Entered: 09/29/2010)
10/04/2010	37	ANSWER to Complaint by DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 10/04/2010)
10/05/2010	38	NOTICE of hearing on 34 Joint MOTION to Intervene <i>as Plaintiffs</i> . Motion Hearing set for 11/10/2010 02:00 PM before District Judge Bernard A Friedman. (CMul) (Entered: 10/05/2010)
10/06/2010	39	STIPULATED PROTECTIVE ORDER Signed by District Judge Bernard A Friedman. (CMul) (Entered: 10/06/2010)
10/08/2010	40	DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Benson, Thomas) (Entered: 10/08/2010)
10/13/2010		Minute Entry - Status Conference held on 10/13/2010 before District Judge Bernard A Friedman. (Court Reporter Joan Morgan) (CMul) (Entered: 10/14/2010)
10/14/2010	41	NOTICE TO APPEAR: Status Conference set for Tuesday, 11/30/2010 11:00 AM before District Judge Bernard A Friedman Regarding facilitation and possible hearing dates. (CMul) (Entered: 10/14/2010)
10/22/2010	42	STIPULATION <i>Regarding Claims of Prospective Intervenor</i> s by DTE Energy, Detroit Edison Company, Natural Resources Defense Council, Sierra Club (Lund, Matthew)

		(Entered: 10/22/2010)
10/27/2010	43	DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Bierbower, Mark) (Entered: 10/27/2010)
10/27/2010	44	DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Bierbower, Mark) (Entered: 10/27/2010)
11/04/2010	45	Ex Parte MOTION to Seal <i>Exhibits and File in the Traditional Manner</i> by All Defendants. (Rubin - NOT SWORN, James) (Entered: 11/04/2010)
11/04/2010	46	RESPONSE to 8 MOTION for Preliminary Injunction <i>Opposition</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Exhibit 1: Wolff Declaration, # 3 Exhibit Exhibit 2: Campbell Declaration, # 4 Exhibit Exhibit 3: Boyd Declaration, # 5 Exhibit Exhibit 4: Rogers Declaration, # 6 Exhibit Exhibit 5: Letter from Brooks to Solo 5/28/10, # 7 Exhibit Exhibit 6: Letter from Brooks to Solo 6/2/10, # 8 Exhibit Exhibit 7: Letter from Solo to Palermo 6/3/10, # 9 Exhibit Exhibit 8: EPA NOV, # 10 Exhibit Exhibit 9: Golden Declaration, # 11 Exhibit Exhibit 10: King Declaration, # 12 Exhibit Exhibit 11: Koppe Deposition Excerpt 11/30/05, # 13 Exhibit Exhibit 12: Verdict Form, # 14 Exhibit Exhibit 13: Moolgavkar Declaration, # 15 Exhibit Exhibit 14: Hayes Declaration, # 16 Exhibit Exhibit 15: Morris Declaration) (Brownell, F.) (Entered: 11/04/2010)
11/04/2010	47	NOTICE by All Defendants re 46 Response to Motion,,, <i>of Filing Exhibits in the Traditional Manner, Appendix B to Attachment A to Exhibit 9 (Golden), Appendix C to Exhibit 10 (King)</i> (Brownell, F.) (Entered: 11/04/2010)
11/05/2010	48	EXHIBIT <i>S A & B</i> re 45 Ex Parte MOTION to Seal <i>Exhibits and File in the Traditional Manner</i> by All Defendants (Rubin - NOT SWORN, James) (Entered: 11/05/2010)
11/09/2010	49	TEXT ORDER granting 45 Motion to Seal. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 11/09/2010)
11/09/2010	50	ORDER re 48 Exhibit filed by Detroit Edison Company, DTE Energy. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 11/09/2010)
11/12/2010	51	MOTION for Leave to File <i>Supplemental Declaration (Errata) and to File Exhibit Under Seal and in the Traditional Manner</i> by All Defendants. (Attachments: # 1 Exhibit Supplement to Exhibit 10 to Opposition to Plaintiff's Motion for Preliminary Injunction) (Brownell, F.) (Entered: 11/12/2010)
11/15/2010	52	Sealed Matter (KCAs) (Entered: 11/16/2010)
11/18/2010	53	ORDER granting 51 Motion for Leave to File. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 11/18/2010)
11/18/2010	54	Ex Parte MOTION for Leave to File Excess Pages by United States. (Christensen, Ellen) (Entered: 11/18/2010)
11/18/2010	55	MOTION for Leave to File <i>Exhibit Under Seal and in the Traditional Manner</i> by United States. (Christensen, Ellen) (Entered: 11/18/2010)
11/18/2010	56	MOTION for Leave to File <i>Exhibit Under Seal and in the Traditional Manner</i> by United States. (Christensen, Ellen) (Entered: 11/18/2010)
11/18/2010	57	RESPONSE to 54 Ex Parte MOTION for Leave to File Excess Pages (<i>Response in Opposition</i>) filed by All Defendants. (Brownell, F.) (Entered: 11/18/2010)
11/18/2010	58	REPLY to Response re 8 MOTION for Preliminary Injunction filed by United States. (Attachments: # 1 Index of Exhibits, # 2 Appendix B: Sierra Club Slip Op, # 3 Exhibit

		13: Chatfield Declaration, # 4 Exhibit 13-A: Monroe Permit Application, # 5 Exhibit 13-B: Michigan NSR Program Review, # 6 Exhibit 13-C: Monroe Permit, # 7 Exhibit 13-D: DTE Presentation (Part 1 of 2), # 8 Document Continuation 13-D: DTE Presentation (Part 2 of 2), # 9 Exhibit 14: Cinergy Special Verdict Form, # 10 Exhibit 15: Koppe Declaration, # 11 Exhibit 16: Biewald Declaration, # 12 Exhibit 17: Adams Declaration, # 13 Exhibit 18: Kahal Declaration, # 14 Exhibit 19: Sahu Declaration, # 15 Exhibit 20: Schwartz Declaration, # 16 Exhibit 21: Chinkin Declaration) (Benson, Thomas) (Entered: 11/18/2010)
11/18/2010	59	MOTION for Leave to File <i>Exhibits under Seal and to Withdraw Prior Motions</i> by United States. (Benson, Thomas) (Entered: 11/18/2010)
11/18/2010	60	SEALED EXHIBIT 13-E Economizer Presentation re 58 Reply to Response to Motion,,, 59 MOTION for Leave to File <i>Exhibits under Seal and to Withdraw Prior Motions</i> by United States. (Benson, Thomas) (Entered: 11/18/2010)
11/18/2010	61	SEALED EXHIBIT 13-F Reheater Presentation re 58 Reply to Response to Motion,,, 59 MOTION for Leave to File <i>Exhibits under Seal and to Withdraw Prior Motions</i> by United States. (Benson, Thomas) (Entered: 11/18/2010)
11/22/2010	62	ORDER granting 54 Motion for Leave to File Excess Pages. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 11/22/2010)
11/22/2010	63	ORDER granting 59 Motion for Leave to File under seal and withdraw motions. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 11/22/2010)
11/23/2010	64	ORDER granting 34 Joint MOTION to Intervene <i>as Plaintiffs</i> filed by Natural Resources Defense Council and Sierra Club. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 11/23/2010)
11/23/2010	65	NOTICE of Appearance by Justin Savage on behalf of United States. (Savage, Justin) (Entered: 11/23/2010)
11/24/2010	66	MOTION for Protective Order <i>and Brief in Support</i> by All Defendants. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Exhibit A: E-mail from Benson to Bierbower 8/17/10, # 3 Exhibit Exhibit B: EPA's First Set of Discovery, # 4 Exhibit Exhibit C: Letter from Benson to Bierbower 11/5/10, # 5 Exhibit Exhibit D: Detroit Edison's Objections & Responses to EPA's First Set of Discovery, # 6 Exhibit Exhibit E: Letter from Benson to Bierbower 11/15/10, # 7 Exhibit Exhibit F: Subpoenas and Deposition Notices, # 8 Exhibit Exhibit G: Detroit Edison's First Set of Interrogatories and Requests for Production) (Brownell, F.) (Entered: 11/24/2010)
11/30/2010	67	NOTICE of Appearance by Kristin M Furrie on behalf of United States. (Furrie, Kristin) (Entered: 11/30/2010)
11/30/2010		Minute Entry - Telephone Conference held on 11/30/2010, Set Hearings:(Telephone Conference set for 1/10/2011 02:00 PM before District Judge Bernard A Friedman) before District Judge Bernard A Friedman. (Court Reporter Carol Sapala) (CMul) (Entered: 11/30/2010)
12/02/2010	68	RESPONSE to 66 MOTION for Protective Order <i>and Brief in Support</i> filed by United States. (Furrie, Kristin) (Entered: 12/02/2010)
12/10/2010	69	REPLY to Response re 66 MOTION for Protective Order <i>and Brief in Support</i> filed by All Defendants. (Attachments: # 1 Exhibit Exhibit A: Excerpts from Plaintiffs' Proposed Conclusions of Law (Remedy Phase), filed in U.S. v. Cinergy (S.D. Ind.)) (Brownell, F.) (Entered: 12/10/2010)
12/27/2010	70	ORDER granting 66 Defendants' Motion for Protective Order. Signed by District Judge

		Bernard A Friedman. (CMul) (Entered: 12/27/2010)
01/06/2011	71	STIPULATION re 39 Protective Order by Natural Resources Defense Council, Sierra Club (Bressett - NOT SWORN, Holly) (Entered: 01/06/2011)
01/10/2011	72	ERRATA Sheet re: 58 Reply to Response to Motion,,, filed by United States. by United States (Furrie, Kristin) (Entered: 01/10/2011)
01/10/2011		Minute Entry - Status Telephone Conference held on 1/10/2011 before District Judge Bernard A Friedman. (FMos) (Entered: 01/11/2011)
01/11/2011	73	ORDER. Signed by District Judge Bernard A Friedman. (FMos) (Entered: 01/11/2011)
01/12/2011	74	NOTICE of Appearance by Lucinda M. Langworthy - NOT SWORN on behalf of DTE Energy, Detroit Edison Company. (Langworthy - NOT SWORN, Lucinda) (Entered: 01/12/2011)
01/14/2011	75	ORDER allowing Defendant's to bring two laptops into the Courthouse. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 01/14/2011)
01/19/2011		Minute Entry - Motion Hearing held on 1/19/2011 re 8 MOTION for Preliminary Injunction filed by United States before District Judge Bernard A Friedman. Disposition: held in abeyance pending expedited trial(Court Reporter Joan Morgan) (CMul) (Entered: 01/27/2011)
01/19/2011		Minute Entry - Scheduling Conference held on 1/19/2011 before District Judge Bernard A Friedman. (CMul) (Entered: 01/27/2011)
01/27/2011	76	SCHEDULING ORDER: Final Pretrial Tele-Conference set for 5/3/2011 01:00 PM to be initiated by Defendants; Jury Selection, if necessary set for 5/10/2011 at 9:00 a.m. and Jury/Bench Trial set for 5/11/2011 09:00 AM before District Judge Bernard A Friedman Signed by District Judge Bernard A Friedman. (Refer to image for additional dates) (CMul) (Entered: 01/27/2011)
01/28/2011	77	NOTICE of Appearance by James A Lofton on behalf of United States. (Lofton, James) (Entered: 01/28/2011)
01/28/2011	78	ORDER denying 8 Motion for Preliminary Injunction. Signed by District Judge Bernard A Friedman. (CMul) (Entered: 01/28/2011)
02/17/2011		Set Deadlines/Hearings: Telephone Conference set for 2/22/2011 at 1:00 PM before District Judge Bernard A Friedman (FMos) (Entered: 02/17/2011)
02/22/2011		Minute Entry - Telephone Conference held on 2/22/2011 before District Judge Bernard A Friedman. Disposition: held(Court Reporter: Joan Morgan) (DOpa) (Entered: 02/22/2011)
03/01/2011	79	SCHEDULING ORDER: Substantive Motion Cut-off set for 6/1/2011 Final Pretrial Conference set for 9/6/2011 01:00 PM before District Judge Bernard A. Friedman Bench Trial set for 9/12/2011 09:00 AM before District Judge Bernard A. Friedman Signed by District Judge Bernard A. Friedman. (Refer to image for additional dates) (CMul) (Entered: 03/01/2011)
03/21/2011	80	Joint MOTION to Amend/Correct <i>Scheduling Order</i> by All Parties. (Rosser, Brent) (Entered: 03/21/2011)
03/23/2011	81	MOTION for Protective Order by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Notice of Violation, # 3 Exhibit 2 - Monroe Power Plant Unit #2 Periodic Outage Preparation Status Report, # 4 Exhibit 3 - Excerpts of January 19, 2011 Hearing Transcript, # 5 Exhibit 4(a) - Plaintiff's First Set of

		Interrogatories, # 6 Exhibit 4(b) - Plaintiff's First Set of Document Requests, # 7 Exhibit 5 - Letter from Thomas Benson, # 8 Exhibit 6 - Letter from Brent Rosser, # 9 Exhibit 7 - EKPC Order, # 10 Exhibit 8 - Notice of Intent (TVA), # 11 Exhibit 9 - Notice of Violation (TVA), # 12 Exhibit 10 - Cinergy Order, # 13 Exhibit 11 - Glossary of Acronyms Referenced in Brief) (Brownell, F.) (Entered: 03/23/2011)
03/23/2011	82	AMENDED SCHEDULING ORDER re 80 Joint Motion: Final Pretrial Conference set for 9/6/2011 01:00 PM before District Judge Bernard A. Friedman. Bench Trial set for 9/12/2011 09:00 AM before District Judge Bernard A. Friedman. Signed by District Judge Bernard A. Friedman. (Refer to image for additional dates) (DOpa) (Entered: 03/24/2011)
03/30/2011	83	NOTICE of hearing on 81 MOTION for Protective Order. Motion Hearing set for Wednesday, 4/20/2011 02:00 PM before District Judge Bernard A. Friedman. Parties may arrange to participate by telephone. (CMul) (Entered: 03/30/2011)
04/06/2011	84	NOTICE of Appearance by Harry M. Johnson - NOT SWORN on behalf of DTE Energy, Detroit Edison Company. (Johnson - NOT SWORN, Harry) (Entered: 04/06/2011)
04/06/2011	85	RESPONSE to 81 MOTION for Protective Order filed by United States. (Attachments: # 1 Index of Exhibits, # 2 Ex. 1, June 1, 2010 Solo Letter, # 3 Ex. 2, June 15, 2010 Solo Letter, # 4 Ex. 3, February 15, 1989 Clay Letter, # 5 Ex. 4, November 6, 1987 Howekamp Letter, # 6 Ex. 5, Preliminary Injunction Hearing Transcript Excerpts, # 7 Ex. 6, DTE Preliminary Injunction Hearing Demonstrative, # 8 Ex. 7, January 31, 2011 Bierbower Letter) (Benson, Thomas) (Entered: 04/06/2011)
04/07/2011	86	ATTORNEY APPEARANCE: George P. Sibley - NOT SWORN appearing on behalf of DTE Energy, Detroit Edison Company (Sibley - NOT SWORN, George) (Entered: 04/07/2011)
04/08/2011	87	MOTION to Compel <i>Plaintiff's Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Ex. A: U.S.' First Set of Document Requests, # 3 Exhibit Ex. B: Hearing Transcript Excerpts 1/19/01, # 4 Exhibit Ex. C: Defendants' First Set of Interrogatories, # 5 Exhibit Ex. D: Defendants' First Set of Requests for Production, # 6 Exhibit Ex. E: Furrie Letter to Bierbower 2/10/11, # 7 Exhibit Ex. F: Smith Letter to Furrie 2/23/11, # 8 Exhibit Ex. G: U.S.' Responses and Objections to Defendants' First Set of Requests for Production, # 9 Exhibit Ex. H: U.S.' Responses and Objections to Defendants' First Set of Interrogatories, # 10 Exhibit Ex. I: First Production Inventory, # 11 Exhibit Ex. J: Second Production Inventory, # 12 Exhibit Ex. K: Walinskas Letter to Smith 3/14/11, # 13 Exhibit Ex. L: Rosser Letter to Benson 3/18/11, # 14 Exhibit Ex. M: Benson Letter to Rosser 3/24/11, # 15 Exhibit Ex. N: Furrie Letter to Smith 2/28/11, # 16 Exhibit Ex. O: Rosser Letter to Benson 3/31/11, # 17 Exhibit Ex. P: Furrie Letter to Rosser 4/4/11, # 18 Exhibit Ex. Q: Duke Energy Order 12/13/01, # 19 Exhibit Ex. R: Duke Energy Order 2/5/02, # 20 Exhibit Ex. S: Illinois Power Order 10/23/01, # 21 Exhibit Ex. T: U.S.' First Set of Interrogatories, # 22 Exhibit Ex. U: Furrie Email to Rosser et al. 4/6/11, # 23 Exhibit Ex. V: Illinois Power Order 1/10/01) (Rosser, Brent) (Entered: 04/08/2011)
04/08/2011	88	MOTION to Expedite <i>Briefing and Consideration of Motion to Compel Plaintiffs' Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> by DTE Energy, Detroit Edison Company. (Rosser, Brent) (Entered: 04/08/2011)
04/11/2011	89	RESPONSE to 88 MOTION to Expedite <i>Briefing and Consideration of Motion to Compel Plaintiffs' Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> filed by United States. (Furrie, Kristin) (Entered: 04/11/2011)

04/13/2011	90	REPLY to Response re 88 MOTION to Expedite <i>Briefing and Consideration of Motion to Compel Plaintiffs' Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> filed by DTE Energy, Detroit Edison Company. (Rosser, Brent) (Entered: 04/13/2011)
04/13/2011	91	STIPULATION re 71 Stipulation, 39 Protective Order <i>Stipulated Disclosure Agreement Regarding Section 114 Documents</i> by DTE Energy, Detroit Edison Company, Natural Resources Defense Council, Sierra Club (Rosser, Brent) (Entered: 04/13/2011)
04/15/2011	92	REPLY to Response re 81 MOTION for Protective Order filed by All Defendants. (Attachments: # 1 Exhibit 12 - 1993 EPA Memo) (Sibley - NOT SWORN, George) (Entered: 04/15/2011)
04/18/2011		TEXT-ONLY ORDER granting 88 MOTION to Expedite Briefing and Consideration of Motion to Compel Plaintiffs' Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure by DTE Energy, Detroit Edison Company. Signed by District Judge Bernard A. Friedman. (SJa) (Entered: 04/18/2011)
04/18/2011	93	NOTICE of hearing on 81 MOTION for Protective Order and 87 MOTION to Compel <i>Plaintiff's Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> . Motion Hearing set for 5/3/2011 01:45 PM before District Judge Bernard A. Friedman. (SJa) (Entered: 04/18/2011)
04/22/2011	94	MOTION for Protective Order by United States. (Furrie, Kristin) (Entered: 04/22/2011)
04/22/2011	95	RESPONSE to 87 MOTION to Compel <i>Plaintiff's Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> filed by United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 2-A, # 5 Exhibit 2-B, # 6 Exhibit 2-C, # 7 Exhibit 2-D, # 8 Exhibit 2-E, # 9 Exhibit 2-F, # 10 Exhibit 2-G Part 1, # 11 Document Continuation 2-G Part 2, # 12 Exhibit 2-H, # 13 Exhibit 2- I, # 14 Exhibit 2-J, # 15 Exhibit 2-K, # 16 Exhibit 2-L, # 17 Exhibit 3, # 18 Exhibit 4, # 19 Exhibit 5, # 20 Exhibit 6, # 21 Exhibit 7, # 22 Exhibit 8, # 23 Exhibit 9, # 24 Exhibit 10, # 25 Exhibit 11) (Furrie, Kristin) (Entered: 04/22/2011)
04/22/2011	96	NOTICE of Appearance by James W. Beers, Jr on behalf of United States. (Beers, James) (Entered: 04/22/2011)
04/25/2011	97	NOTICE of Hearing on 94 MOTION for Protective Order, 81 MOTION for Protective Order, 87 MOTION to Compel <i>Plaintiff's Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> . Motion Hearing set for 5/3/2011 01:45 PM before District Judge Bernard A. Friedman. (SJa) (Entered: 04/25/2011)
04/29/2011	98	Ex Parte MOTION for Leave to File <i>Exhibits in the Traditional Manner</i> by All Defendants. (Johnson - NOT SWORN, Harry) (Entered: 04/29/2011)
04/29/2011	99	REPLY to Response re 87 MOTION to Compel <i>Plaintiff's Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F (Placeholder for CD-ROM to be filed traditionally if leave granted), # 8 Exhibit G (Placeholder for CD-ROM to be filed traditionally if leave granted)) (Johnson - NOT SWORN, Harry) (Entered: 04/29/2011)
04/29/2011	100	RESPONSE to 94 MOTION for Protective Order filed by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - US Opposition to Def. Mot. to Compel Disc. (Illinois Power), # 3 Exhibit B - US Response to EKPC Motion for Part. Summ. Judgment (EKPC)) (Rosser, Brent) (Entered: 04/29/2011)
05/02/2011	101	ORDER granting 98 Ex Parte Motion for Leave to File Exhibits in the Traditional Manner. Signed by District Judge Bernard A. Friedman. (SJa) (Entered: 05/02/2011)

05/02/2011	102	NOTICE by DTE Energy, Detroit Edison Company of <i>Filing Exhibits in the Traditional Manner</i> (Johnson - NOT SWORN, Harry) (Entered: 05/02/2011)
05/03/2011	103	ORDER denying as moot 88 MOTION to Expedite <i>Briefing and Consideration of Motion to Compel Plaintiffs' Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> filed by Detroit Edison Company, DTE Energy . Signed by District Judge Bernard A. Friedman. (SJa) (Entered: 05/03/2011)
05/03/2011	104	ORDER granting 81 Defendant's Motion for Protective Order. Signed by District Judge Bernard A. Friedman. (SJa) (Entered: 05/03/2011)
05/03/2011	105	ORDER denying defendant's 87 Motion to Compel Plaintiff's Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure. Signed by District Judge Bernard A. Friedman. (SJa) (Entered: 05/03/2011)
05/03/2011	106	ORDER denying as moot 94 Plaintiff's Motion for Protective Order. Signed by District Judge Bernard A. Friedman. (SJa) (Entered: 05/03/2011)
05/03/2011		Minute Entry - Motion Hearing held on 5/3/2011 re 88 MOTION to Expedite <i>Briefing and Consideration of Motion to Compel Plaintiffs' Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> filed by Detroit Edison Company, DTE Energy, 94 MOTION for Protective Order filed by United States, 81 MOTION for Protective Order filed by Detroit Edison Company, DTE Energy, 87 MOTION to Compel <i>Plaintiff's Compliance with Rules 33 and 34 of the Federal Rules of Civil Procedure</i> filed by Detroit Edison Company, DTE Energy before District Judge Bernard A. Friedman. (Court Reporter Joan Morgan) (SJa) Modified on 5/6/2011 (CMul). (Entered: 05/04/2011)
06/09/2011	107	MOTION for Summary Judgment by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits Appendix A: Index of Exhibits, # 2 Exhibit Exhibit 1: Boyd Declaration, # 3 Exhibit Exhibit 2: Usitalo Declaration) (Brownell, F.) (Entered: 06/09/2011)
06/23/2011	108	NOTICE of determination on briefs re 107 MOTION for Summary Judgment. (CMul) (Entered: 06/23/2011)
06/29/2011	109	NOTICE of Appearance by Elias L. Quinn on behalf of United States. (Quinn, Elias) (Entered: 06/29/2011)
06/29/2011	110	MOTION for Extension of Time to File Response/Reply to <i>Defendant's Motion for Summary Judgment Based on the 2002 NSR Reform Rules</i> by United States. (Attachments: # 1 Proposed Order) (Quinn, Elias) (Entered: 06/29/2011)
06/30/2011	111	ORDER granting 110 Motion for Extension of Time to File Response/Reply. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 06/30/2011)
07/07/2011	112	MOTION for Leave to File <i>Brief and Exhibits under Seal (Unopposed Motion)</i> by United States. (Benson, Thomas) (Entered: 07/07/2011)
07/08/2011	113	ORDER Granting 112 Motion for Leave to File. Signed by District Judge Bernard A. Friedman. (DOpa) (Entered: 07/08/2011)
07/08/2011	114	RESPONSE to 107 MOTION for Summary Judgment filed by United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Ex. 3 -- Monroe 2 Outage Facts, # 3 Exhibit Ex. 4 -- Fessler Email, # 4 Exhibit Ex. 5 -- Notice Letter, # 5 Exhibit Ex. 6 -- 2005 Notice Letter, # 6 Exhibit Ex. 9 -- NSR TSD Excerpts, # 7 Exhibit Ex. 12 -- Northampton Letter, # 8 Exhibit Ex. 13 -- Columbia Generating) (Benson, Thomas) (Entered: 07/08/2011)
07/08/2011	115	SEALED EXHIBIT re 114 Response to Motion, by United States. (Attachments: # 1

		Exhibit Ex. 1 -- Dep. Ex. 92, # 2 Exhibit Ex. 2 -- Monroe 2 Short Form Report, # 3 Exhibit Ex. 7 -- Rugenstein Deposition Excerpts, # 4 Exhibit Ex. 8 -- Boyd 30(b)(6) Deposition Excerpts Vol. 2, # 5 Exhibit Ex. 10 -- Boyd Personal Deposition Excerpts, # 6 Exhibit Ex. 11 -- Boyd 30(b)(6) Deposition Excerpts Vol. 1) (Benson, Thomas) (Entered: 07/08/2011)
07/18/2011	116	MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Exhibit 1: S. Rep. No. 91-1196, # 3 Exhibit Exhibit 2: 40 CFR section 60.14(1)(1) (1976), # 4 Exhibit Exhibit 3: WEPCo NSR Applicability Determination (9/9/1988), # 5 Exhibit Exhibit 4: Final WEPCo Determination (10/14/1988), # 6 Exhibit Exhibit 5: Revised WEPCo Determination (2/15/1989), # 7 Exhibit Exhibit 6: GAO Report (1990), # 8 Exhibit Exhibit 7: Tiber Memo (4/10/1990), # 9 Exhibit Exhibit 8: Dingell Letter (10/9/1990), # 10 Exhibit Exhibit 9: Rosenberg Letter (6/19/1991), # 11 Exhibit Exhibit 10: Nichols Letter w/ Attachment (May 1995), # 12 Exhibit Exhibit 11: DOJ Press Release (11/3/1999), # 13 Exhibit Exhibit 12: Alabama Power Order (2/25/2008), # 14 Exhibit Exhibit 13: Declaration of Regina McCarthy (1/31/2011)) (Brownell, F.) (Entered: 07/18/2011)
07/18/2011	117	MOTION for Partial Summary Judgment <i>on the Legal Standards in this Case</i> by United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 3-A, # 6 Exhibit 3-B, # 7 Exhibit 3-C, # 8 Exhibit 3-D, # 9 Exhibit 3-E, # 10 Exhibit 3-F, # 11 Exhibit 3-G, # 12 Exhibit 3-H, # 13 Exhibit 3-I, # 14 Exhibit 3-J, # 15 Exhibit 3-K, # 16 Exhibit 3-L, # 17 Exhibit 4, # 18 Exhibit 5, # 19 Exhibit 6, # 20 Exhibit 7, # 21 Exhibit 8, # 22 Exhibit 9, # 23 Proposed Order) (Quinn, Elias) (Entered: 07/18/2011)
07/22/2011	118	MOTION for Leave to File Excess Pages by All Defendants. (Attachments: # 1 Exhibit Proposed Order) (Sibley - NOT SWORN, George) (Entered: 07/22/2011)
07/25/2011	119	REPLY to Response re 107 MOTION for Summary Judgment filed by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Exhibit 3: Letter from NRG to EPA (3/10/2005), # 3 Exhibit Exhibit 4: Letter from EPA to NRG (5/16/2005)) (Brownell, F.) (Entered: 07/25/2011)
07/25/2011	120	NOTICE of Change of Address/Contact Information by Mark B Bierbower on behalf of DTE Energy, Detroit Edison Company. (Bierbower, Mark) (Entered: 07/25/2011)
07/25/2011	121	NOTICE of Change of Address/Contact Information by Lucinda M. Langworthy on behalf of DTE Energy, Detroit Edison Company. (Langworthy, Lucinda) (Entered: 07/25/2011)
07/25/2011		Attorney James W Rubin is discontinued from receiving Notices of Electronic Filing. Reason: no longer with Hunton & Williams LLP. (Rubin, James) (Entered: 07/25/2011)
07/26/2011	122	NOTICE of Change of Address/Contact Information by Makram B Jaber on behalf of DTE Energy, Detroit Edison Company. (Jaber, Makram) (Entered: 07/26/2011)
07/26/2011	123	NOTICE of Change of Address/Contact Information by F. William Brownell on behalf of DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 07/26/2011)
07/26/2011	124	ORDER granting 118 Motion for Leave to File Excess Pages. Signed by District Judge Bernard A. Friedman. (MWil) (Entered: 07/26/2011)
07/28/2011	125	RESPONSE to 116 MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR)

		MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) filed by Natural Resources Defense Council, Sierra Club. (Attachments: # 1 Exhibit, # 2 Exhibit) (Bressett - NOT SWORN, Holly) (Entered: 07/28/2011)
08/01/2011	126	RESPONSE to 116 MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) filed by United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5) (Quinn, Elias) (Entered: 08/01/2011)
08/01/2011	127	RESPONSE to 117 MOTION for Partial Summary Judgment <i>on the Legal Standards in this Case Defendants' Brief in Opposition to Plaintiff's Motion for Partial Summary Judgment</i> filed by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Exhibit 1: Letter from Rosenberg to Dingell (6/19/1991), # 3 Exhibit Exhibit 2: U.S. Resp. & Objections to Detroit Edison's First Set of Req. for Admis. (excerpts), # 4 Exhibit Exhibit 3: Transcript of 30(b)(6) Deposition of Michael Sewell, U.S. v. Ky. Utilities (excerpts)) (Brownell, F.) (Entered: 08/01/2011)
08/01/2011	128	MOTION for Leave to File <i>Exhibit Under Seal</i> by DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 08/01/2011)
08/01/2011	129	SEALED EXHIBIT <i>Exhibit 4 - Supplemental Expert Report of J. Golden (June 3, 2011) (excerpt) (Confidential)</i> re 128 MOTION for Leave to File <i>Exhibit Under Seal</i> , 127 Response to Motion,, 117 MOTION for Partial Summary Judgment <i>on the Legal Standards in this Case</i> by DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 08/01/2011)
08/04/2011	130	ORDER for Additional Briefing., (Brief due by 8/8/2011) Signed by District Judge Bernard A. Friedman. (MWil) (Entered: 08/04/2011)
08/05/2011	131	ORDER granting 128 Motion for Leave to File. Signed by District Judge Bernard A. Friedman. (MWil) (Entered: 08/05/2011)
08/05/2011	132	MOTION in Limine <i>to Strike Defendants' Experts' Sur-Rebuttal Reports</i> by United States. (Benson, Thomas) (Entered: 08/05/2011)
08/05/2011	133	ORDER REFERRING MOTION to Magistrate Judge R. Steven Whalen: 132 MOTION in Limine <i>to Strike Defendants' Experts' Sur-Rebuttal Reports</i> filed by United States. Signed by District Judge Bernard A. Friedman. (MWil) (Entered: 08/05/2011)
08/05/2011	134	MOTION in Limine <i>to Exclude the Opinions of Edward Rothman</i> by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Exhibit 4: Rothman Spreadsheet) (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	135	MOTION for Leave to File <i>Exhibits Under Seal [Rothman]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	136	SEALED EXHIBIT <i>1: Deposition Transcript of Edward Rothman (7/20/2011)</i> re 135 MOTION for Leave to File <i>Exhibits Under Seal [Rothman]</i> , 134 MOTION in Limine <i>to Exclude the Opinions of Edward Rothman</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	137	SEALED EXHIBIT <i>2: Expert Report of Dr. Edward Rothman (4/22/2011)</i> re 135 MOTION for Leave to File <i>Exhibits Under Seal [Rothman]</i> , 134 MOTION in Limine <i>to</i>

		<i>Exclude the Opinions of Edward Rothman</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	138	SEALED EXHIBIT 3: <i>Expert Report of Philip Hayet (4/22/2011)</i> re 135 MOTION for Leave to File <i>Exhibits Under Seal [Rothman]</i> , 134 MOTION in <i>Limine to Exclude the Opinions of Edward Rothman</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	139	SEALED EXHIBIT 5: <i>Rebuttal & Supplemental Expert Report of Philip Hayet (7/5/2011 revised)</i> re 135 MOTION for Leave to File <i>Exhibits Under Seal [Rothman]</i> , 134 MOTION in <i>Limine to Exclude the Opinions of Edward Rothman</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	140	SEALED EXHIBIT 6: <i>Surrebuttal Expert Report of Mike King (8/1/2011)</i> re 135 MOTION for Leave to File <i>Exhibits Under Seal [Rothman]</i> , 134 MOTION in <i>Limine to Exclude the Opinions of Edward Rothman</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	141	MOTION in <i>Limine to Exclude the Opinions of Robert H. Koppe and Ranajit Sahu</i> by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Exhibit 1: U.S. v. Ala. Power Co. (3/14/2011), # 3 Exhibit Exhibit 2: GADS Data Reporting Instructions, # 4 Exhibit Exhibit 4: U.S. v. Cinergy Trial Transcript Vol. 3 (5/13/2009), # 5 Exhibit Exhibit 5: U.S. v. Cinergy Trial Transcript Vol. 7 (5/13/2008), # 6 Exhibit Exhibit 6: U.S. v. Cinergy Order (12/29/2010), # 7 Exhibit Exhibit 7: U.S. v. Ala Power Co. Final Judgment Order (3/15/2011)) (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	142	MOTION for Leave to File <i>Exhibits Under Seal [Koppe/Sahu]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	143	SEALED EXHIBIT 3: <i>Expert Report of Ranajit (Ron) Sahu (Apr. 22, 2011)</i> re 141 MOTION in <i>Limine to Exclude the Opinions of Robert H. Koppe and Ranajit Sahu</i> , 142 MOTION for Leave to File <i>Exhibits Under Seal [Koppe/Sahu]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	144	SEALED EXHIBIT 8: <i>Expert Report of Robert Koppe (Apr. 22, 2011)</i> re 141 MOTION in <i>Limine to Exclude the Opinions of Robert H. Koppe and Ranajit Sahu</i> , 142 MOTION for Leave to File <i>Exhibits Under Seal [Koppe/Sahu]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	145	SEALED EXHIBIT 9: <i>Supplemental Expert Report of Mike King (June 3, 2011)</i> re 141 MOTION in <i>Limine to Exclude the Opinions of Robert H. Koppe and Ranajit Sahu</i> , 142 MOTION for Leave to File <i>Exhibits Under Seal [Koppe/Sahu]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	146	SEALED EXHIBIT 10: <i>Deposition of Paul Fessler (June 8, 2011)</i> re 141 MOTION in <i>Limine to Exclude the Opinions of Robert H. Koppe and Ranajit Sahu</i> , 142 MOTION for Leave to File <i>Exhibits Under Seal [Koppe/Sahu]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	147	SEALED EXHIBIT 11: <i>Rebuttal and Supplemental Expert Report of Robert Koppe (July 6, 2011)</i> re 141 MOTION in <i>Limine to Exclude the Opinions of Robert H. Koppe and Ranajit Sahu</i> , 142 MOTION for Leave to File <i>Exhibits Under Seal [Koppe/Sahu]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	148	MOTION in <i>Limine to Exclude the Opinions of Philip Hayet</i> by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits) (Johnson, Harry) (Entered: 08/05/2011)

08/05/2011	149	MOTION for Leave to File <i>Exhibits Under Seal [Hayet]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	150	SEALED EXHIBIT 1: <i>Expert Report of Philip Hayet (4/22/2011)</i> re 148 MOTION in <i>Limine to Exclude the Opinions of Philip Hayet</i> , 149 MOTION for Leave to File <i>Exhibits Under Seal [Hayet]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	151	SEALED EXHIBIT 2: <i>Rebuttal and Supplemental Expert Report of Philip Hayet (July 5, 2011 revised)</i> re 148 MOTION in <i>Limine to Exclude the Opinions of Philip Hayet</i> , 149 MOTION for Leave to File <i>Exhibits Under Seal [Hayet]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/05/2011	152	SEALED EXHIBIT 3: <i>Deposition of Philip Hayet (7/15/2011) (excerpts)</i> re 148 MOTION in <i>Limine to Exclude the Opinions of Philip Hayet</i> , 149 MOTION for Leave to File <i>Exhibits Under Seal [Hayet]</i> by DTE Energy, Detroit Edison Company. (Johnson, Harry) (Entered: 08/05/2011)
08/08/2011	153	RESPONSE to 130 Order, Set Deadlines/Hearings <i>Joint Response to Order for Additional Briefing Entered August 4, 2011</i> by DTE Energy, Detroit Edison Company, Natural Resources Defense Council, Sierra Club, United States. (Johnson, Harry) (Entered: 08/08/2011)
08/10/2011	154	MOTION for Leave to File <i>Certain Exhibits Under Seal</i> , MOTION for Leave to File <i>Excess Pages on Reply in Support of Plaintiff's Motion for Partial Summary Judgment on the Legal Standards at Issue in This Case</i> by United States. (Quinn, Elias) (Entered: 08/10/2011)
08/10/2011	155	REPLY to Response re 117 MOTION for Partial Summary Judgment <i>on the Legal Standards in this Case</i> filed by United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4) (Quinn, Elias) (Entered: 08/10/2011)
08/10/2011	156	SEALED EXHIBIT <i>S 1, 5, and 6</i> re 155 Reply to Response to Motion by United States. (Attachments: # 1 Exhibit Sealed Exhibit 1 to ECF No. 155, # 2 Exhibit Sealed Exhibit 5 to ECF No. 155, # 3 Exhibit Sealed Exhibit 6 to ECF No. 155) (Quinn, Elias) (Entered: 08/10/2011)
08/10/2011	157	REPLY to Response re 116 MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) filed by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Exhibit 1: Stipulation of Dismissal in U.S. v. Duke Energy (M.D.N.C.), # 3 Exhibit Exhibit 2: Complaint in U.S. v. Duke Energy (M.D.N.C.), # 4 Exhibit Exhibit 3: Slip Opinion in Sierra Club v. TVA (N.D. Ala.)) (Brownell, F.) (Entered: 08/10/2011)
08/10/2011	158	REPLY to Response re 116 MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) MOTION To Establish Correct Legal Standard on the Issue of Routine Maintenance, Repair and Replacement (RMRR) <i>Reply in Response to Intervenor-Plaintiffs' Opposition</i> filed by DTE Energy, Detroit Edison

		Company. (Attachments: # 1 Exhibit Exhibit 1: BNA article (5/10/2004) (excerpt)) (Brownell, F.) (Entered: 08/10/2011)
08/18/2011	159	ORDER Staying Deadlines. Signed by District Judge Bernard A. Friedman. (MWil) (Entered: 08/18/2011)
08/23/2011	160	MEMORANDUM OPINION and ORDER granting 107 Defendants' MOTION for Summary Judgment Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 08/23/2011)
08/23/2011	161	JUDGMENT in favor of Defendants against Plaintiff Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 08/23/2011)
10/20/2011	162	NOTICE OF APPEAL by United States. Fee Status: No Fee Paid. (Benson, Thomas) (Entered: 10/20/2011)
10/21/2011	163	CERTIFICATE OF SERVICE re 162 Notice of Appeal. (DPer) (Entered: 10/21/2011)
03/28/2013	164	JUDGMENT from U.S. Court of Appeals - Sixth Circuit re 162 Notice of Appeal filed by United States - Disposition: The judgment of the district court is REVERSED, and the case is REMANDED for further proceedings consistent with the opinion of this court. [Appeal Case Number 11-2328] (KKra) (Entered: 04/08/2013)
05/20/2013	167	MANDATE from U.S. Court of Appeals - Sixth Circuit as to 162 Notice of Appeal filed by United States [Appeal Case Number 11-2328] (KKra) (Entered: 05/23/2013)
05/22/2013	165	MOTION for Leave to File <i>Motion for Summary Judgment and for Scheduling Order</i> by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Ex. 1: U.S. v. DTE Energy Co. (6th Cir. Mar. 28, 2013), # 3 Exhibit Ex. 2: Transcript PI Hearing (E.D. Mich. Jan. 19, 2011) (excerpt)) (Brownell, F.) (Entered: 05/22/2013)
05/22/2013	166	MOTION for Summary Judgment <i>Based on Compliance with Pre-Construction Projection Requirements</i> by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Ex. 1: EPA, Notice and Finding of Violation (June 4, 2010), # 3 Exhibit Ex. 2: Declaration of Skiles Boyd (Nov. 3, 2010), # 4 Exhibit Ex. 3: Notification Letter (Mar. 12, 2010), # 5 Exhibit Ex. 4: Supplemental Declaration of Skiles Boyd (May 20, 2013), # 6 Exhibit Ex. 5: Transcript of Usitalo 30(b)(6) Deposition (excerpt)) (Brownell, F.) (Entered: 05/22/2013)
05/24/2013	168	MOTION Requesting Status Conference by United States. (Attachments: # 1 Exhibit P.I. Hearing Transcript Excerpt) (Quinn, Elias) (Entered: 05/24/2013)
05/28/2013	169	NOTICE TO APPEAR : Status/Scheduling Conference set for 6/5/2013 01:00 PM before District Judge Bernard A. Friedman (CMul) (Entered: 05/28/2013)
06/03/2013	170	STIPULATION AND ORDER re 169 Notice to Appear (Status/ Scheduling Conference reset for Thursday, 6/20/2013 01:00 PM before District Judge Bernard A. Friedman) Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 06/03/2013)
06/12/2013	171	ATTORNEY APPEARANCE: Nicholas J. Schroeck appearing on behalf of Natural Resources Defense Council, Sierra Club (Schroeck, Nicholas) (Entered: 06/12/2013)
06/13/2013	172	DTE's Report in Advance of Status Conference REPORT by All Defendants (Attachments: # 1 Exhibit P.I. Hearing Transcript 1/19/2011 (excerpt)) (Brownell, F.) (Entered: 06/13/2013)
06/14/2013	173	NOTICE of Appearance by Shannon W. Fisk on behalf of Sierra Club. (Fisk, Shannon) (Entered: 06/14/2013)

06/20/2013		Minute Entry for proceedings held before District Judge Bernard A. Friedman: Motion Hearing held on 6/20/2013 re 165 MOTION for Leave to File <i>Motion for Summary Judgment and for Scheduling Order</i> filed by Detroit Edison Company, DTE Energy Disposition: Motion granted and briefing dates established.(Court Reporter Joan Morgan) (CMul) (Entered: 06/20/2013)
07/03/2013	174	ORDER granting 165 Motion for Leave to File. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 07/03/2013)
07/03/2013	175	ORDER on briefing re 166 MOTION for Summary Judgment <i>Based on Compliance with Pre-Construction Projection Requirements</i> filed by Detroit Edison Company, DTE Energy. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 07/03/2013)
07/03/2013	176	NOTICE TO APPEAR BY TELEPHONE: Status Conference set for 10/9/2013 02:00 PM before District Judge Bernard A. Friedman (CMul) (Entered: 07/03/2013)
08/01/2013	177	MOTION for Leave to File <i>Opposition Brief and Supporting Documents Under Seal</i> by United States. (Attachments: # 1 Proposed Order) (Quinn, Elias) (Entered: 08/01/2013)
08/02/2013	178	SEALED RESPONSE re 166 Motion for Summary Judgment,, <i>regarding DTE's Preconstruction Compliance</i> by United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - Project Authorization Documents, # 3 Exhibit B - Capital Plan Summary, # 4 Exhibit C - DTE RFA Responses, # 5 Exhibit D - Final ROR Inputs, # 6 Exhibit E - White Email, # 7 Exhibit F - Reliability Improvement Study, # 8 Exhibit G - Hayett Report, # 9 Exhibit H - Fessler Depo Excerpt) (Quinn, Elias) (Entered: 08/02/2013)
08/02/2013	179	RESPONSE to 166 MOTION for Summary Judgment <i>Based on Compliance with Pre-Construction Projection Requirements - Opposition to Motion</i> filed by Sierra Club. (Fisk, Shannon) (Entered: 08/02/2013)
08/06/2013	180	ORDER granting 177 Motion for Leave to File. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 08/06/2013)
08/16/2013	181	NOTICE by United States re 178 Sealed Response to Motion,, <i>of Redacted Filing</i> (Attachments: # 1 U.S. Opposition Brief, # 2 Index of Exhibits, # 3 Exhibit A (redacted), # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit G (redacted), # 8 Exhibit H) (Quinn, Elias) (Entered: 08/16/2013)
08/19/2013	182	MOTION for Leave to File <i>Excess Pages for Reply Brief in Support of Defendants' Motion for Summary Judgment</i> by All Defendants. (Sibley - NOT SWORN, George) (Entered: 08/19/2013)
08/23/2013	183	REPLY to Response re 166 MOTION for Summary Judgment <i>Based on Compliance with Pre-Construction Projection Requirements</i> filed by DTE Energy, Detroit Edison Company. (Attachments: # 1 Exhibit Ex. 1 - Complaint in U.S. v. OGE, No. 13-690 (W.D. Okla.)) (Brownell, F.) (Entered: 08/23/2013)
09/03/2013	184	MOTION for Leave to File <i>First Amended Complaint</i> by United States. (Attachments: # 1 Index of Exhibits, # 2 Att. 1 (Proposed Amended Complaint), # 3 Att. 2 (Excerpts of Preliminary Injunction Transcript), # 4 Att. 3 (3.September 19, 2007 Letter, W. Rugenstein to W. Presson), # 5 Att. 4 (4.March 6, 2007 Letter, W. Rugenstein to L. Fiedler), # 6 Att. 5 (5.February 26, 2010 Letter, K. Guertin to T. Seidel)) (Benson, Thomas) (Entered: 09/03/2013)
09/06/2013	185	STIPULATION of <i>Dismissal of Natural Resources Defense Council's Claims in Intervention Pursuant to FRCP 41(A)(1)</i> by Natural Resources Defense Council, Sierra Club (Schroeck, Nicholas) (Entered: 09/06/2013)
09/06/2013	186	MOTION for Leave to File <i>a First Amended Complaint</i> by Sierra Club. (Attachments: #

		1 Exhibit First Amended Complaint) (Fisk, Shannon) (Entered: 09/06/2013)
09/20/2013	187	RESPONSE to 184 MOTION for Leave to File <i>First Amended Complaint</i> filed by DTE Energy, Detroit Edison Company. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Ex. 1: 2009 NOV, # 3 Exhibit Ex. 2: MDEQ PSD Workbook (Oct. 2003) (excerpt), # 4 Exhibit Ex. 3: Letter to EPA (June 23, 2010), # 5 Exhibit Ex. 4: Boyd Declaration (Nov. 3, 2010), # 6 Exhibit Ex. 5: DTE Presentation (July 23, 2007), # 7 Exhibit Ex. 6: DTE Presentation (Apr. 23, 2008), # 8 Exhibit Ex. 7: 2008 NSR Emissions Report for Trenton Channel (Feb. 21, 2009)) (Brownell, F.) (Entered: 09/20/2013)
09/20/2013	188	STIPULATION of Parties Extending the Deadlines to File Reply Briefs in Support of Motions to Amend the Complaint by Sierra Club, United States (Furrie, Kristin) (Entered: 09/20/2013)
09/23/2013	189	RESPONSE to 186 MOTION for Leave to File a <i>First Amended Complaint</i> filed by DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 09/23/2013)
10/01/2013	190	MOTION to Stay the Briefing Schedule and Reschedule the Status Conference due to a Lack in Appropriations by United States. (Furrie, Kristin) (Entered: 10/01/2013)
10/02/2013		TEXT-ONLY NOTICE: Hearing on October 9, 2013 is Cancelled (CMul) (Entered: 10/02/2013)
10/03/2013	191	ORDER granting 190 Motion to Stay. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 10/03/2013)
10/18/2013	192	NOTICE by United States of Restored Appropriations and Stipulated Order Extending Deadlines for Reply Briefs (Quinn, Elias) (Entered: 10/18/2013)
10/21/2013	193	STIPULATION AND ORDER LIFTING STAY and establishing briefing deadlines Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 10/21/2013)
10/25/2013	194	REPLY to Response re 184 MOTION for Leave to File <i>First Amended Complaint</i> filed by United States. (Furrie, Kristin) (Entered: 10/25/2013)
10/25/2013	195	REPLY to Response re 186 MOTION for Leave to File a <i>First Amended Complaint</i> filed by Sierra Club. (Fisk, Shannon) (Entered: 10/25/2013)
03/03/2014	196	OPINION AND ORDER granting 166 Motion for Summary Judgment. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 03/03/2014)
03/04/2014	197	Notice of E-mail Delivery Failure as to attorney Justin Savage. Bounced NEF for 196 Order on Motion for Summary Judgment. (SSch) (Entered: 03/04/2014)
03/11/2014	198	Ex Parte MOTION for Withdrawal of Attorney Justin Savage by United States. (Benson, Thomas) (Entered: 03/11/2014)
03/11/2014	199	ORDER granting 198 Motion to Withdraw as Attorney.. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 03/11/2014)
04/02/2014	200	MOTION for Leave to File <i>Any Rule 54(b) Motion by June 30, 2014</i> by United States. (Benson, Thomas) (Entered: 04/02/2014)
04/02/2014	201	MOTION Certification of Partial Final Judgment by Sierra Club. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B) (Fisk, Shannon) (Entered: 04/02/2014)
04/09/2014	202	ORDER granting 184 Motion for Leave to File;and granting 186 Motion for Leave to File Amended Complaints. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 04/09/2014)
04/09/2014	203	AMENDED COMPLAINT filed by United States against DTE Energy, Detroit Edison

		Company. NO NEW PARTIES ADDED . (Benson, Thomas) (Entered: 04/09/2014)
04/11/2014	204	RESPONSE to 201 MOTION Certification of Partial Final Judgment , 200 MOTION for Leave to File <i>Any Rule 54(b) Motion by June 30, 2014</i> filed by DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 04/11/2014)
04/11/2014	205	MOTION for Reconsideration re 202 Order on Motion for Leave to File, <i>Motion for Reconsideration or Clarification</i> by DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 04/11/2014)
04/16/2014	206	NOTICE of Appearance by Susan L. Williams on behalf of Sierra Club. (Williams, Susan) (Entered: 04/16/2014)
04/18/2014	207	(STRICKEN 4/23/2014) RESPONSE to 205 MOTION for Reconsideration re 202 Order on Motion for Leave to File, <i>Motion for Reconsideration or Clarification</i> filed by Sierra Club. (Fisk, Shannon) Modified on 4/23/2014 (CMul). (Entered: 04/18/2014)
04/23/2014	208	NOTICE TO APPEAR BY TELEPHONE: Tele/Status Conference set for 5/13/2014 01:00 PM before District Judge Bernard A. Friedman Plaintiff to initiate call/ or circulate call-in number. (CMul) (Entered: 04/23/2014)
04/23/2014	209	ORDER to Strike 207 Response to Motion filed by Sierra Club. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 04/23/2014)
04/24/2014	210	MOTION for Leave to File <i>Response to Defendants' Motion for Reconsideration or Clarification</i> by Sierra Club. (Attachments: # 1 Exhibit A) (Fisk, Shannon) (Entered: 04/24/2014)
04/24/2014	211	MOTION for Extension of Time to File Answer re 203 Amended Complaint by DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 04/24/2014)
04/30/2014	212	NOTICE of Appearance by Mary M. Whittle on behalf of Sierra Club. (Whittle, Mary) (Entered: 04/30/2014)
05/13/2014	213	ORDER granting 200 Motion for Leave to File; and stay ruling on 201 intervenor-plaintiffs motion for certification of partial final judgment. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 05/13/2014)
05/13/2014		Minute Entry for proceedings held before District Judge Bernard A. Friedman: Telephonic Status Conference held on 5/13/2014 Disposition: Motion for leave to file response to reconsideration is granted. Motion for reconsideration is granted. Motion for extension of time to answer amended complaint is granted.(Court Reporter Joan Morgan) (CMul) (Entered: 05/14/2014)
05/22/2014	214	AMENDED COMPLAINT filed by Sierra Club against DTE Energy, Detroit Edison Company. NO NEW PARTIES ADDED . (Fisk, Shannon) (Entered: 05/22/2014)
05/27/2014	215	MOTION for Extension of Time to File Answer re 214 Amended Complaint by DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 05/27/2014)
06/17/2014	216	ORDER granting 215 Motion for Extension of Time to Answer. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 06/17/2014)
06/30/2014	217	ORDER granting in part 205 Motion for Reconsideration ; granting 210 Motion for Leave to File; and granting 211 Motion for Extension of Time to Answer All Defendants.. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 06/30/2014)
06/30/2014	218	MOTION for Judgment <i>Pursuant to Rule 54(b)</i> by United States. (Benson, Thomas) (Entered: 06/30/2014)

06/30/2014	219	MOTION to Stay <i>District Court Proceedings Pending Resolution of Appeals</i> by DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 06/30/2014)
08/05/2014	220	ORDER granting 201 Motion for partial summary judgment; granting 218 Motion for partial summary judgment; and granting 219 Motion to Stay pending appeals. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 08/05/2014)
10/03/2014	221	NOTICE OF APPEAL by United States. Fee Status: No Fee Paid. (Benson, Thomas) (Entered: 10/03/2014)
10/03/2014	222	NOTICE OF APPEAL by Sierra Club re 196 Order on Motion for Summary Judgment, 220 Order on Motion - Free, Order on Motion for Judgment, Order on Motion to Stay. Receipt No: 0645-4843691 - Fee: \$ 505 - Fee Status: Fee Paid. (Fisk, Shannon) (Entered: 10/03/2014)
10/03/2014	223	Certificate of Service re 221 Notice of Appeal. (KKra) (Entered: 10/03/2014)
10/03/2014	224	Certificate of Service re 222 Notice of Appeal,. (KKra) (Entered: 10/03/2014)
10/15/2014		Court Reporter Acknowledgment of Transcript Order Form received on October 13, 2014. Transcript for court proceeding held on: June 20, 2013; May 13, 2014. Estimated transcript completion date: Sept. 22, 2014. Estimated number of pages: 50. Payment arrangements were made on October 13, 2014. (Morgan, J) (Entered: 10/15/2014)
10/21/2014	225	TRANSCRIPT of Telephonic Conference held on May 13, 2014. (Court Reporter/Transcriber: Joan L. Morgan) (Number of Pages: 6) (Appeal Purposes) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 11/12/2014. Redacted Transcript Deadline set for 11/21/2014. Release of Transcript Restriction set for 1/20/2015. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Morgan, J) (Entered: 10/21/2014)
10/21/2014	226	TRANSCRIPT of Telephonic Conference held on June 20, 2013. (Court Reporter/Transcriber: Joan L. Morgan) (Number of Pages: 20) (Appeal Purposes) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 11/12/2014. Redacted Transcript Deadline set for 11/21/2014. Release of Transcript Restriction set for 1/20/2015. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Morgan, J) (Entered: 10/21/2014)
10/24/2014		Court Reporter Acknowledgment of Transcript Order Form received on October 22, 2014. Transcript for court proceeding held on: June 20, 2013, May 13, 2014. Estimated transcript completion date: on file. Estimated number of pages: 26. Payment arrangements were made on October 22, 2014. (Morgan, J) (Entered: 10/24/2014)
11/18/2014	227	Letter from Thomas A. Benson (CMul) (Entered: 11/18/2014)
01/10/2017	228	OPINION and JUDGMENT from U.S. Court of Appeals - Sixth Circuit re 222 Notice of Appeal, filed by Sierra Club, 221 Notice of Appeal filed by United States [Appeal Case Number 14-2274/14-2275] (Ahmed, N) Modified on 1/10/2017 (Ahmed, N). (Entered: 01/10/2017)
03/07/2017	229	ATTORNEY APPEARANCE: Andrea E. Hayden appearing on behalf of DTE Energy,

		Detroit Edison Company (Hayden, Andrea) (Entered: 03/07/2017)
05/16/2017	230	ORDER from U.S. Court of Appeals - Sixth Circuit re 222 Notice of Appeal, filed by Sierra Club, 221 Notice of Appeal filed by United States [Appeal Case Number 14-2274/14-2275] (Ahmed, N) (Entered: 05/16/2017)
08/02/2017	231	Ex Parte MOTION for Withdrawal of Attorney Mary M. Whittle by Sierra Club. (Fisk, Shannon) (Entered: 08/02/2017)
08/03/2017	232	(VACATED 8/4/17)ORDER granting 231 Motion to Withdraw as Attorney.. Signed by District Judge Bernard A. Friedman. (CMul) Modified on 8/4/2017 (CMul). (Entered: 08/03/2017)
08/04/2017	233	ORDER granting 231 Ex Parte MOTION for Withdrawal of Attorney Mary M. Whittle filed by Sierra Club. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 08/04/2017)
08/04/2017		TEXT-ONLY ORDER vacating 232 Order on Motion to Withdraw as Attorney. (Wrong image attached). Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 08/04/2017)
08/07/2017	234	LETTER from the US Supreme Court that a petition for writ of certiorari was filed on 7/31/2017. [Supreme Court Case Number: 17-170] [Court of Appeals Case Number: 14-2274, 14-2275] (Ahmed, N) (Entered: 08/07/2017)
12/14/2017	235	LETTER from the US Supreme Court denying the petition for writ of certiorari [Supreme Court Case Number: 17-170] [Court of Appeals Case Number: 14-2274, 14-2275] (DWor) (Entered: 12/14/2017)
12/14/2017	236	MANDATE from U.S. Court of Appeals - Sixth Circuit as to 222 Notice of Appeal, filed by Sierra Club, 230 Appeal Order/Opinion/Judgment, 221 Notice of Appeal filed by United States [Appeal Case Number 14-2275/14-2274] (DWor) (Entered: 12/14/2017)
01/24/2018	237	NOTICE TO APPEAR: Status Conference set for 2/7/2018 01:00 PM before District Judge Bernard A. Friedman (JCur) (Entered: 01/24/2018)
02/01/2018	238	Joint MOTION to Stay <i>Pending Settlement Negotiations</i> by All Defendants. (Johnson, Harry) (Entered: 02/01/2018)
02/02/2018	239	ORDER granting 238 Joint Motion to Stay for 120 Days Pending Settlement Negotiations. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 02/02/2018)
02/02/2018		TEXT-ONLY NOTICE: Status Conference on 2/7/2018 is Cancelled 237 . (JCur) (Entered: 02/02/2018)
04/11/2018	240	NOTICE of Change of Address/Contact Information by F. William Brownell on behalf of DTE Energy, Detroit Edison Company. (Brownell, F.) (Entered: 04/11/2018)
06/11/2018	241	Joint MOTION Stay of Litigation <i>by All Parties</i> by United States. (Benson, Thomas) (Entered: 06/11/2018)
06/14/2018	242	ORDER granting 241 Joint Motion to Stay Case 180 days pending settlement negotiations. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 06/14/2018)
12/12/2018	243	Joint MOTION to Stay <i>Litigation on Behalf of All Parties</i> by United States. (Benson, Thomas) (Entered: 12/12/2018)
12/13/2018	244	ORDER granting 243 Joint Motion to Stay the Case for Six Months. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 12/13/2018)

05/08/2019	245	Joint MOTION to Stay re 244 Order on Motion to Stay <i>Pending Settlement Negotiations and Status Report on Negotiations</i> by All Defendants. (Johnson, Harry) (Entered: 05/08/2019)
05/09/2019	246	ORDER granting 245 Joint Motion to Stay until 6/14/2019. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 05/09/2019)
06/14/2019	247	Joint MOTION to Stay re 246 Order on Motion to Stay <i>Pending Settlement Negotiations and Status Report on Negotiations</i> by All Defendants. (Johnson, Harry) (Entered: 06/14/2019)
06/18/2019	248	ORDER granting 247 Motion to Stay. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 06/18/2019)
07/15/2019	249	Joint MOTION to Stay <i>with Brief in Support of Continuing Stay</i> by United States. (Benson, Thomas) (Entered: 07/15/2019)
07/16/2019	250	ORDER granting 249 Motion to Stay until 8/23/2019. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 07/16/2019)
08/23/2019	251	Joint MOTION to Stay <i>on behalf of all Parties</i> by United States. (Benson, Thomas) (Entered: 08/23/2019)
08/26/2019	252	ORDER granting 251 Joint Motion to Stay Case until 10/25/2019. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 08/26/2019)
10/25/2019	253	Joint MOTION to Stay <i>Litigation Pending Settlement Negotiations</i> by United States. (Benson, Thomas) (Entered: 10/25/2019)
10/29/2019	254	ORDER granting 253 Motion to Stay until 1/10/2020. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 10/29/2019)
01/09/2020	255	Joint MOTION to Stay <i>Extending Existing Stay through March 6, 2020</i> by United States. (Benson, Thomas) (Entered: 01/09/2020)
01/15/2020	256	ORDER granting 255 Motion to Stay until 3/6/2020. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 01/15/2020)
03/06/2020	257	Joint MOTION to Stay <i>Case through April 6, 2020</i> by United States. (Benson, Thomas) (Entered: 03/06/2020)
03/12/2020	258	ORDER granting 257 Motion to Stay through 4/6/2020. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 03/12/2020)
04/06/2020	259	Joint MOTION to Stay <i>(Extend Stay through May 6, 2020)</i> by United States. (Benson, Thomas) (Entered: 04/06/2020)
04/07/2020	260	ORDER granting 259 Motion to Stay through 5/6/2020. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 04/07/2020)
04/23/2020	261	Ex Parte MOTION for Withdrawal of Attorney James Beers, James Lofton, Elias Quinn by United States. (Benson, Thomas) (Entered: 04/23/2020)
04/27/2020	262	ORDER granting Withdrawal of Counsel James Beers, James Lofton and Elias Quinn. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 04/27/2020)
04/27/2020	263	Ex Parte MOTION for Withdrawal of Attorney Makram Jabar, Mark B. Bierbower, Andrea Hayden by All Defendants. (Johnson, Harry) (Entered: 04/27/2020)
04/28/2020	264	ORDER granting 263 Motion for Withdrawal of Counsel Makram B. Jaber, Mark B. Bierbower, and Andrea Hayden. Signed by District Judge Bernard A. Friedman. (JCur)

		(Entered: 04/28/2020)
05/13/2020	265	NOTICE by United States <i>Joint Status Report on Settlement Negotiations</i> (Benson, Thomas) (Entered: 05/13/2020)
05/14/2020	266	NOTICE by United States <i>Notice of Lodging of Proposed Consent Decree</i> (Attachments: # 1 Proposed Consent Decree) (Benson, Thomas) (Entered: 05/14/2020)
05/22/2020	267	MOTION to Enter Agreement Between Sierra Club and DTE Or, in the Alternative, Notice of that Agreement by Sierra Club. (Attachments: # 1 Exhibit Sierra Club - DTE Separate Agreement, # 2 Exhibit AEP CD Modification) (Fisk, Shannon) Modified on 6/23/2020 (JCur). (Entered: 05/22/2020)
05/27/2020	268	Joint MOTION for Extension of Time to File Response/Reply as to 267 MOTION to Enter Agreement Between Sierra Club and DTE Or, in the Alternative, Notice of that Agreement by United States. (Benson, Thomas) (Entered: 05/27/2020)
06/01/2020	269	ORDER granting 268 Joint Motion to set Briefing Schedule re 267 MOTION to Enter Agreement: Plaintiff's Response due by 6/26/2020; Sierra Club Reply due by 7/20/2020. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 06/01/2020)
06/04/2020	270	RESPONSE to 267 MOTION to Enter Agreement Between Sierra Club and DTE Or, in the Alternative, Notice of that Agreement filed by All Defendants. (Johnson, Harry) (Entered: 06/04/2020)
06/23/2020	271	NOTICE of Appearance by Michael B. Buschbacher on behalf of United States. (Buschbacher, Michael) (Entered: 06/23/2020)
06/23/2020	272	Joint MOTION Set Briefing Schedule by United States. (Benson, Thomas) (Entered: 06/23/2020)
06/23/2020	273	ORDER granting 272 Joint MOTION To Set Briefing Schedule re 267 MOTION to Enter Agreement: Plaintiff's Response due by 7/10/2020; Sierra Club's Reply due by 8/3/2020. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 06/23/2020)
06/30/2020	274	Joint MOTION for Leave to File Excess Pages by United States. (Benson, Thomas) (Entered: 06/30/2020)
07/02/2020	275	NOTICE TO APPEAR BY TELEPHONE: Status Conference set for 7/10/2020 11:00 AM before District Judge Bernard A. Friedman (JCur) **PARTIES, PLEASE USE THE FOLLOWING CALL-IN INFORMATION: (877) 336-1831; Access Code: 5137643** (Entered: 07/02/2020)
07/02/2020	276	NOTICE by Sierra Club <i>of Substitution of Counsel</i> (Fisk, Shannon) (Entered: 07/02/2020)
07/06/2020	277	ATTORNEY SUBSTITUTION for United States: Peter A. Caplan added. (Caplan, Peter) (Entered: 07/06/2020)
07/08/2020	278	MOTION for Entry of Proposed Consent Decree by United States. (Attachments: # 1 Att. A: Proposed Consent Decree, # 2 Att. B: Full Set of Public Comments, # 3 Att. C: Compilation of Unique Comments, # 4 Att. D: Law Clinic Comment) (Benson, Thomas) (Entered: 07/08/2020)
07/08/2020	279	RESPONSE to 267 MOTION to Enter Agreement Between Sierra Club and DTE Or, in the Alternative, Notice of that Agreement filed by United States. (Attachments: # 1 Exhibit Cal. Sportfishing Protection All. v. Forever Resorts LLC, # 2 Exhibit Lopez v. A& Metals) (Buschbacher, Michael) (Entered: 07/08/2020)
07/09/2020	280	ORDER of Attorney Substitution AUSA Peter A. Caplan added in place of AUSA Ellen

		Christensen. Signed by District Judge Bernard A. Friedman. (JCur) Modified on 7/9/2020 (JCur). (Entered: 07/09/2020)
07/10/2020		Minute Entry for proceedings before District Judge Bernard A. Friedman: Telephonic Status Conference held on 7/10/2020. Disposition: Judge approved entry of 274 Joint Motion for Leave to File Excess Pages. (Court Reporter: Suzanne Jacques) (JCur) (Entered: 07/15/2020)
07/15/2020	281	ORDER granting 274 motion for permission to file enlarged briefs. Signed by District Judge Bernard A. Friedman. (JCur) Modified on 7/21/2020 (JCur). [Corrected docket entry order terminated.] (Entered: 07/15/2020)
07/22/2020	282	CONSENT DECREE. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 07/23/2020)
07/27/2020	283	NOTICE of Appearance by Thomas Elliot Gaiser on behalf of Richard Allen Epstein. (Gaiser, Thomas) (Entered: 07/27/2020)
07/27/2020	284	MOTION for Leave to File <i>Brief of Amici Curiae</i> by Richard Allen Epstein. (Attachments: # 1 Exhibit A) (Gaiser, Thomas) (Entered: 07/27/2020)
07/28/2020	285	MOTION for Extension of Time to File Response/Reply <i>and Permission to File Enlarged Brief</i> by Sierra Club. (Fisk, Shannon) (Entered: 07/28/2020)
07/30/2020	286	ORDER granting Richard Epstein And Jeremy Rabkin's 284 Motion For Leave To File An Amici Curiae Brief and ORDER granting Sierra Club's 285 Motion For An Extension Of Time And For Permission To File An Enlarged Brief. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 07/30/2020)
07/30/2020	287	Amicus Curiae BRIEF by Richard Allen Epstein (Gaiser, Thomas) (Entered: 07/30/2020)
08/05/2020	288	TRANSCRIPT of Telephonic Status Conference held on 7/10/2020. (Court Reporter/Transcriber: Suzanne Jacques (email: jacques@transcriptorders.com) (Number of Pages: 15) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 8/26/2020. Redacted Transcript Deadline set for 9/8/2020. Release of Transcript Restriction set for 11/3/2020. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 08/05/2020)
08/06/2020	289	REPLY to Response re 267 MOTION to Enter Agreement Between Sierra Club and DTE Or, in the Alternative, Notice of that Agreement filed by Sierra Club. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Exhibit 1 - Leonard Declaration, # 3 Exhibit Exhibit 2 - Barker Declaration, # 4 Exhibit Exhibit 3 - Morris Declaration, # 5 Exhibit Exhibit 4 - Lindberg Declaration) (Fisk, Shannon) (Entered: 08/06/2020)
08/20/2020	290	MOTION for Leave to File <i>Sur-Reply in Opposition to Sierra Club's Motion to Enter</i> by United States. (Attachments: # 1 Exhibit Proposed Sur-Reply) (Buschbacher, Michael) (Entered: 08/20/2020)
08/25/2020		TEXT-ONLY ORDER granting plaintiff's 290 MOTION for Leave to File <i>Sur-Reply in Opposition to Sierra Club's Motion to Enter</i> . Entered by District Judge Bernard A. Friedman. (JCur) (Entered: 08/25/2020)
08/25/2020	291	SUR-REPLY re 267 MOTION to Enter Agreement Between Sierra Club and DTE Or, in the Alternative, Notice of that Agreement filed by United States. (Buschbacher, Michael) (Entered: 08/25/2020)

08/28/2020	292	MOTION for Leave to File <i>Response to United States' Sur-Reply Brief</i> by Sierra Club. (Attachments: # 1 Exhibit Proposed Response to United States' Sur-Reply Brief) (Fisk, Shannon) (Entered: 08/28/2020)
09/04/2020		TEXT-ONLY ORDER granting Sierra Club's 292 MOTION for Leave to File <i>Response to United States' Sur-Reply Brief</i> 291 . Entered by District Judge Bernard A. Friedman. (JCur) (Entered: 09/04/2020)
12/03/2020	293	OPINION AND ORDER GRANTING INTERVENOR'S 267 MOTION FOR VOLUNTARY DISMISSAL. Signed by District Judge Bernard A. Friedman. (JCur) (Entered: 12/03/2020)
11/18/2021	294	SETTLEMENT AGREEMENT (<i>Non-Material Modification to 2020 Consent Decree</i>) by United States (Benson, Thomas) (Entered: 11/18/2021)

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